



IAW
1742

TRANSMITTAL LETTER (General Patent Pending)	Docket No. 10503-US
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In Re Application Of: Yves Michael Henuset et al.

Serial No. 09/782,279	Filing Date February 14, 2001	Examiner. William T. Leader	Group Art Unit 1742
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Title: FLOW-THROUGH ELECTROCHEMICAL REACTOR FOR WASTEWATER TREATMENT

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is:

- Response to Notice of Non-Compliant Amendment (37 CFR 1.121)

In the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the Amount of _____ is attached.
- ☐ The assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 13-1717 as described below. A duplicate copy of this sheet is enclosed.
 - ☐ Charge the amount of _____
 - ☐ Credit any overpayment.
 - ☐ Charge any additional fee required.



Signature

Dated: 06/03/2004

George M. MacGregor
37,547

Marks & Clerk Canada
P.O. Box 957
Station B
Ottawa, ON, K1P 5S7
Phone: (613) 236-9561



I certify that this document and fee being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yves Michael Henuset et al.

For : FLOW-THROUGH ELECTROCHEMICAL REACTOR FOR
WASTEWATER TREATMENT

Serial No. : 09/782,279

Filed : February 14, 2001

Examiner : William T. Leader

Art Unit : 1742

Our File : 10503-US

June 3, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
U. S. A.

Sir:

This is in response to the Notice of Non-Compliant Amendment (37 CFR 1.121) dated May 11, 2004.

In the Notice, a copy of which is attached, there is an indication that the amendment to the claims is rejected under paragraph 4C on the basis that each claims has not been provided with a proper status identifier, and as such, the individual status of each claim cannot be identified.

The notice does not provide the filing date of the non-compliant amendment document and as a result it is not clear whether it refers to the response after final rejection filed February 17, 2004 and subsequently identified as the submission with the RCE filed March 17, 2004 or whether it refers to the preliminary amendment filed March 30, 2004.

In order to fully comply with the requirements there is submitted herewith a full copy of each of the claim sets filed in both of the two above-identified amendments.

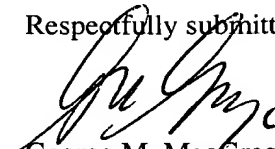
In the response filed February 17, 2004 it would appear that all of the claims namely claims 1 to 28 are identified as either being currently amended, cancelled, previously amended or new.

In the set of claims filed March 30, 2004 as a preliminary amendment, claims 1 through 28 are identified as being currently amended, cancelled, previously amended or previously added.

In summary, therefore, it is believed that the requirements of 37 CFR 1.121 were fully met with the amendments filed on both of the above dates.

If some aspects of these amendments are non-compliant it would be appreciated if a telephone interview could be conducted to point out the omissions in the status identifiers of the claims.

Respectfully submitted,

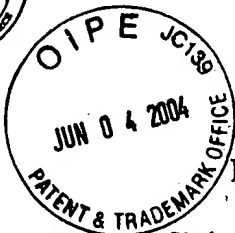


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UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS
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Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on _____ is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

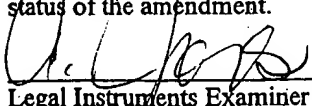
- ☐ 1. Amendments to the specification:
 - ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
 - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
 - ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.


Legal Instruments Examiner (LIE)

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